



Paper No. 9

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DES MOINES IA 50309-2721

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OFFICE OF PETITIONS

In re Application of	:
Shroot et al.	:
Application No. 10/071,051	: DECISION ACCORDING STATUS
Filed: 8 February, 2002	: UNDER 37 CFR 1.47(a)
Attorney's Docket No. P05380US0	:

This is in response to the renewed petition under 37 CFR 1.47(a) filed on 5 August, 2002.

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Jonathan Sterling, has refused to join in the filing of the above-identified application after having been sent a copy of the application papers. Specifically, the petitioners have established, via the letter signed by petitioners' registered patent counsel, Edmund J. Sease, that a copy of the above-identified application was sent to the non-signing inventor's address. Petitioners have also shown, via the declaration of Ruth A. Lourens, that Sterling indicated during two phone calls a willingness to sign the declaration, but questioned whether he should be the first named inventor. Sterling did not return a signed declaration, however. A follow-up letter was mailed to Sterling on 29 July, 2002, again requesting that he sign and return the declaration. However, the non-signing inventor has failed to execute and return the declaration naming him as a joint inventor along with Braham Shroot, Lawton A. Seal, James R. Hunt, Kathy Bolsen, and Penny L. Sitka

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the declaration. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.



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